

REMARKS

STATUS SUMMARY

Claims 6-8, 14, 37-40 and 44-69 are pending in the present application. Claims 6-8, 14 and 37-40 have been withdrawn from consideration. Pursuant to the Office Action mailed November 20, 2008, claims 44-69 stand rejected. In the present Reply, claims 44, 48, 50-52, 55, 58-60, 65 and 67 have been amended, and certain paragraphs of the specification have been amended for consistency with the claims. Claim 64 has been canceled without prejudice. As to all amendments, no new matter has been added.

EXAMINER INTERVIEW

Applicant's attorney (the undersigned) engaged in a telephonic examiner interview with the Examiner on December 23, 2008. Discussed during the Examiner Interview were the Office Action mailed January 8, 2008; Applicant's Reply filed on July 3, 2008; independent claims 44, 55 and 60 as amended in Applicant's Reply; and the prior-art Dybbs reference. It was agreed that Applicant would make further amendments to claims 44, 55 and 60 to clarify the direction or orientation of the adjustable interface between the recited blade holder and blade. The amendments are discussed below.

CLAIM REJECTIONS - 35 U.S.C. § 102

Claims 44-62 and 64-69 are rejected under 35 U.S.C. § 102(e) as being anticipated by Dybbs (U.S. Patent No. 6,228,099).

Applicant hereby incorporates the remarks made in Applicant's previous Reply filed on July 3, 2008. As previously noted, the claimed invention is directed to a blade assembly that is structured so as to enable adjustment of the distance between the blade holder reference surface and the cutting edge in a manner not found in the prior art. The additional amendments made in this Reply clarify that the recited "first direction" and "second direction" lie in the plane of the blade, and that the blade holder is engaged with the blade such that the blade holder is movable in the first direction to enable the afore-mentioned adjustment. Moreover, the amendments make clear that the "first direction" is a direction from back to front (or front to back). The recited "rear edge" and "front cutting edge" of the blade provide a reference for the orientation of the first direction. Because the recited blade holder includes a reference surface that faces the cutting edge of the blade, the distance from the reference surface of the blade holder to the cutting edge is adjustable due to the movable engagement of the blade holder with the blade in this first direction. Referring to the example illustrated in Figure 2 (as amended in Applicant's Reply filed on July 3, 2008) and the accompanying written description as amended for clarification, it can be seen that the structure of the blade assembly (10) illustrated in Figure 2 enables this distance (134) to be adjustable along the first direction (122) (and thus along the plane of the blade (38)), which in turn enables the depth of cutting to be adjusted as described in the specification.

As also previously noted and discussed during the Examiner Interview, the blade holder (96) taught by Dybbs has a bottom protrusion (120) that extends through and fills an opening (122) of the blade (98). Hence, the blade (98) and the blade holder (96) as taught by Dybbs cannot move, and are not adjustable, relative to each other along the first direction or in any

direction that lies in the blade plane. In contrast to Applicant's claimed invention, the blade assembly taught by Dybbs' is assembled by moving the blade holder (96) in a direction perpendicular to the plane of the blade (98). Dybbs fails to teach any structural relation between the blade (98) and the blade holder (96) that is adjustable. Dybbs fails to teach any means or structure for providing adjustment or calibration of the distance between any part of the blade holder (96) or wedge (100) and the cutting edge (102) of the blade (98).

As to independent claim 60, which recites "a finger," Applicant respectfully submits that the further amendment made to claim 60 in this Reply clearly defines the orientation of the finger in a manner not taught or suggested by Dybbs.

In view of the foregoing, Applicant respectfully submits that claims 44-62 and 64-69 are patentable over Dybbs. Therefore, Applicant respectfully requests that the rejection to these claims under 35 U.S.C. § 102(e) be withdrawn.

CLAIM REJECTIONS - 35 U.S.C. § 103

Claim 63 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Dybbs. Applicant respectfully traverses. Claim 63 depends from independent claim 60, which Applicant has demonstrated is patentable over Dybbs per the discussion above. Applicant respectfully submits that claim 63 is likewise patentable over Dybbs for at least the same reasons as set forth above regarding claim 60, and therefore respectfully requests that this rejection be withdrawn.

CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited. If the Examiner does not agree that the application is condition for allowance, then Applicant requests that an Advisory Action be mailed at the earliest possible date.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Office Action.

Although it is believed that no fees are required with this transmittal, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to our Deposit Account No. 50-2542.

Respectfully submitted,

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